

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

RUSSELL D. ALRED)	
)	
COMPLAINANT)	
)	
V.)	CASE NO. 2008-00142
)	
KENTUCKY UTILITIES COMPANY)	
)	
DEFENDANT)	

O R D E R

Complainant, Russell D. Alred, initiated this proceeding alleging that Kentucky Utilities Company's ("KU") fuel adjustment clause is unlawful and contrary to Kentucky law. On September 2, 2008, Complainant filed a motion requesting that his complaint be dismissed with prejudice on the grounds that the parties had resolved the issues. An informal conference was held on September 12, 2008 to discuss the settlement agreement reached between the parties. *Immediately after the informal conference, Complainant telefaxed to the Commission an amended motion to dismiss, requesting that "this case be dismissed with prejudice that this matter has been resolved as the Complainant is satisfied."* The amended motion has never been formally filed with the Commission.¹

¹ In a letter dated October 24, 2008, counsel for KU sought to file the amended motion on Complainant's behalf. However, attached to the letter was a copy of the telefaxed amended motion rather than the original amended motion, and there was no indication that Complainant had authorized KU to file the amended motion on his behalf.

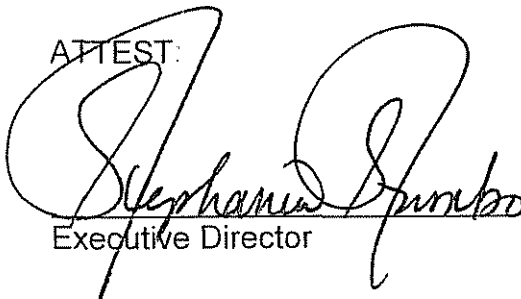
807 KAR 5:001, Section 12(5), requires Commission approval of settlement agreements in formal complaint matters. The Commission finds that the parties should file, either jointly or individually, a report setting forth the complete terms of their settlement agreement.

IT IS THEREFORE ORDERED that, within 14 days of the date of this Order, the parties shall file, individually or jointly, a detailed report setting forth the complete terms of the proposed settlement agreement between the parties.

Done at Frankfort, Kentucky, this 24th day of November, 2008.

By the Commission

Chairman Armstrong abstains.

ATTEST:

Executive Director